ORDINANCE NO. 2200

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ACCEPTING A DONATION OF FUNDS FROM THE REDMOND ROTARY, AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH REDMOND ROTARY REGARDING SAID DONATION.

WHEREAS, the Redmond Rotary has graciously offered to donate \$10,000 for the purpose of designing, fabricating and installing an art bench within the Redmond Fire Station No. 11 Plaza; and

WHEREAS, RCW 35.21.100 authorizes the City to accept donations by ordinance and to effectuate the terms therefore if they fall within the scope of the City's delegated powers; and

WHEREAS, the City Council desires to accept the Redmond Rotary's donation according to its terms and to express its appreciation to Redmond Rotary for its generosity; now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Acceptance. The City Council hereby accepts a donation from the Redmond Rotary in the amount of \$10,000. The City agrees to carry out the terms of said donation as described in the Agreement for Donation of Funds, attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full. The Mayor is hereby authorized to execute said Agreement on behalf of the City. The City Council expresses its appreciation to the Redmond Rotary for its generous donation.

Section 2. Effective Date. This ordinance, an administrative action, is not subject to referendum and shall take effect five (5) days after publication of a summary consisting of the title.

APPROVED:

MAYOR ROSEMARIE M IVES

ATTEST/AUTHENTICATED:

CITY OF EDIT DODDIES AS TOTAL

CITY CLERK BONNIE MATTSON

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

JAMES E. HANEY

FILED WITH THE CITY CLERK: PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NO.: 2200

March 10, 2004

March 16, 2004

March 22, 2004

March 27, 2004

AGREEMENT FOR DONATION OF FUNDS

THIS AGREEMENT is entered into between the City of Redmond, Washington ("the City"), a Washington municipal corporation, and the Redmond Rotary ("Donor"), a Washington non-profit corporation, for the purposes herein described.

Recitals

WHEREAS, Donor desires to donate the sum of \$10,000 the purpose of funding the design, fabrication and installation of an art bench within the Redmond Fire Station No. 11 Plaza; and

WHEREAS, the City desires to accept said donation and to carry out its terms, and has authorized acceptance thereof by ordinance pursuant to RCW 35.21.100;

NOW, THEREFOR, THE UNDERSIGNED PARTIES agree as follows:

Terms

- 1. <u>Donation of Funds</u>. Donor agrees to provide the City with funds in the total amount of TEN THOUSAND DOALLARS (\$10,000) for the design, fabrication and installation of an art bench to be located within the Redmond Fire Station No. 11 Plaza. Said donation shall be in the form of a check, money order or legal currency.
- 2. <u>Acceptance and Use of Funds</u>. The City agrees to accept the donation of funds referenced in Section 1, and to utilize said funds exclusively for the design, fabrication and installation of (a) an art bench, and (b) a commemorative plaque acknowledging the donation and containing the Redmond Rotary logo, both items to be located within the Redmond Fire Station No. 11 Plaza.
- 3. <u>Surplus or Deficiency in Funding</u>. The Parties expressly acknowledge that the amount donated pursuant to this Agreement may either exceed or fall short of the amount ultimately necessary to effectuate the design, fabrication and installation of the art bench referenced herein. In the event that the donated amount falls short of that necessary to complete said project, the City may utilize other funding sources to compensate for this deficiency. In the event that the donated amount ultimately exceeds that necessary to complete the project, any surplus amount shall be transferred to the City's Arts Activity Fund.
- 4. <u>Time of Completion</u>. The City agrees that it will make every reasonable effort to ensure the installation of the art bench on or before June 30, 2005. PROVIDED, the City's failure to meet said deadline shall not require the return of the funds donated hereunder.
- 5. <u>Entire Agreement</u>. This Agreement represents the entire understanding and agreement between the Parties regarding the donation of the funds designated herein, and expressly supersedes any and all prior understandings, oral or otherwise.

ENTERED INTO as of the date of the last signature set forth below:

THE REDMOND ROTARY	CITY OF REDMOND
By:	Mayor Rosemarie M. Ives
Title:	Date:

ATTEST/AUTHENTICATED:

Bonnie Mattson, City Clerk

APPROVED AS TO FORM: OFFICE OF THE CITY ATTORNEY:

James F. Haney